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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/578,232

05/03/2006

Takayuki Shimatani

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9478

23432 7590 09/24/2009
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EXAMINER

ZHANG, FAN

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

09/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/578,232	Applicant(s) SHIMATANI, TAKAYUKI	
	Examiner FAN ZHANG	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/03/2006, 12/15/2008, 04/01/2009, and 06/29/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102(b)

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 3, 4, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Kadota (US Pub: 2004/0034862).**

Regarding claim 1, Kadota teaches: A method for obtaining a status, wherein a server computer and a client computer connected to a network share a printer connected to said server computer [fig. 3, p0105, p0106], and said client computer enables two-way communication and obtains status information of the printer via the server computer without depending on an operating system [p0108-p0110].

Regarding claim 3, Kadota teaches: A printer driver [fig. 3: unit 3b] applicable to a system in which a server computer and a client computer connected to a network share a printer connected to said server computer [fig. 3, p0105-p0107], comprising: a unit to obtain status information of said printer by performing two-way communication with said server computer without depending on an operating system of said client computer [p0108-p0110].

Regarding claim 4, Kadota further teaches: The printer driver as claimed in claim 3, further comprising: a unit to perform the two-way communication by using a language monitor of said server computer as a server [fig. 3: unit 2d]; and a unit to make said two-way communication means to perform the two-way communication without depending on an operating system [p108].

Claim 6 has been analyzed and rejected with regard to claim 3 and in accordance with Kadota's further teaching on an information processing device [fig. 3: unit 3].

Claim 7 has been analyzed and rejected with regard to claim 4.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 2, 5, and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadota (US Pub: 2004/0034862) and in further view of Ohta (US Pub: 2006/0001908). (The date of division of application No. 09/676,091 filed on Oct. 2, 2000 is used for rejection. The publication 2006/0001908 is referenced for**

simplicity purpose.)

Regarding claim 2, Kadota further teaches: The method for obtaining the status information as claimed in claim 1, wherein said status information to be obtained is at least one of option information indicating whether a mountable option is mounted on said printer, version information regarding a version of said printer, and status displaying information regarding a status of said printer [fig. 12: S1314]. Kadota discloses a display unit that is capable of displaying received printer status information on a client computer PC3 in fig. 2, unit 34 although Kadota does not explicitly prescribe printer status information being displayed on PC3. In the same field of endeavor, Ohta teaches displaying status of a printer in [p0044]. Displaying printer status information on a client computer has been well known and practiced in the art as prescribed by Ohta. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of Kadota and Ohta to allow printer status information to be displayed on a client computer for the purpose of informing user related printing information.

Claim 5 has been analyzed and rejected with regard to claim 2.

Claims 8, 9, and 10 have been analyzed and rejected with regard to claim 5.

Contact

5. Any inquiry concerning this communication or earlier communications from the

Art Unit: 2625

examiner should be directed to Fan Zhang whose telephone number is (571) 270-3751.

The examiner can normally be reached on Mon-Fri from 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Fan Zhang/

Patent Examiner

/Mark K Zimmerman/

Supervisory Patent Examiner, Art Unit 2625